

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION**

MARISOL RAMIREZ-SAMANIEGO,)

Petitioner,)

v.)

A. WASHINGTON-ADDUCI,)

Respondent.)

Case No.: 7:15-cv-01631-VEH-SGC

MEMORANDUM OPINION

On June 7, 2016, the magistrate judge entered a report (Doc. 7), recommending this petition for writ of habeas corpus, filed pursuant to 28 U.S.C. § 2241, be: (1) recharacterized as a Motion to Vacate, Set Aside, or Correct Sentence, pursuant to 28 U.S.C. § 2255; and (2) dismissed for lack of jurisdiction. The time to file objections has expired, and no objections have been filed.

After careful consideration of the record in this case and the magistrate judge's report, the court **ADOPTS** the report of the magistrate judge and **ACCEPTS** her recommendations. Accordingly, the petition is hereby **RECHARACTERIZED** as a Motion to Vacate, Set Aside, or Correct Sentence, pursuant to 28 U.S.C. § 2255. Additionally, for the reasons stated in the report and recommendation, this matter is due to be dismissed for lack of jurisdiction, and a certificate of appealability is due to be denied.

A separate order will be entered.

DONE and **ORDERED** this 30th day of June, 2016.

A handwritten signature in black ink, appearing to read "V. Emerson Hopkins", written over a horizontal line.

VIRGINIA EMERSON HOPKINS

United States District Judge